

4.6 Agricultural District Two (A-2)

(1) Purpose and Intent of Agricultural District Two (A-2)

The purpose of the A-2 District is to provide a means of accomplishing the agricultural goals and objectives in the Town's Smart Growth Comprehensive Plan. This district is designed to promote the maintenance and preservation of areas with prime agricultural soils and lands that have been historically utilized for agricultural purposes. The intent of the A-2 District is to provide for agricultural activities and uses that are compatible with agriculture and that are generally best suited for smaller farm units.

(2) Permitted Uses

The following uses are permitted in this district:

(A) General farming including dairying, livestock and poultry raising, nurseries, and other similar enterprises or uses, except fur farms and farms operated for the disposal or reduction of garbage, sewage, rubbish or offal, provided that such permitted uses shall not include the use of Center Pivot Waste Distribution Systems and Traveling Gun Waste Distribution Systems, and further provided that no buildings for the housing of livestock or poultry shall be located within 100 feet of any boundary of a residential or commercial lot other than that of the owner or lessee of such buildings containing such livestock or poultry.

(B) Forestry, grazing, hatcheries, nurseries, orchards, paddocks, stables, truck farming, sale of farm products produced on the premises that do not require outside processing before they are offered for sale, and up to two unlighted signs not larger than 32 square feet each advertising such sale.

(C) One residential dwelling for those resident owners or workers who are actually engaged in the principal permitted use and earn a substantial part of their livelihood from the farm operations on the parcel.

(D) Livestock facilities up to one (1) animal unit per contiguous acre.

(3) Conditional Uses

A conditional use in this district is to permit the following uses only after public hearing and approval of the Planning and Zoning Committee in accordance with the provisions of Section 5 of this Ordinance.

(A) Churches, veterinary hospitals, community parks and recreational areas.

(B) Water storage facilities and power stations provided they are enclosed by an eight-foot or more protective fence.

(C) Farm dwellings and related farm structures existing at the time of adoption of this Ordinance may be separated from the farm plot provided that the parcel created

conforms with all regulations set forth in either the A-3 or the R-1 district and provided further that the parcel created does not exceed five (5) acres.

(D) Fur farms, insect-breeding facilities, commercial or wholesale greenhouses, and other agricultural uses or facilities (other than livestock facilities) that may cause noxious odors or noise.

(E) Riding stables and riding schools.

(F) Creameries, milk condenseries, cheese factories, and pea vineries, provided, however, that same are not located or operated nearer than 500 feet to any dwelling.

(G) Supportive agri-business activities to include grain elevators; seed, fertilizer, and farm chemical sales; feed mills; and similar activities provided they are adjacent to Arterial or Collector roads as defined by this Ordinance (Section 10).

(H) Storage of non-agriculture items in existing buildings or new buildings in the immediate vicinity of existing buildings on the parcel.

(I) Additional farm dwellings for those resident owners and workers actually engaged in the principal permitted uses.

(J) Telephone, telegraph and electric transmission lines, buildings or structures.

(K) Sale of agricultural products not produced on premises and up to two unlighted signs not larger than 32 square feet each advertising such sale.

(L) Single family dwellings occupied by the farm operator or the parents or children of the farm operator may be separated from the farm plot provided that the parcel created conforms with all regulations set forth in the R-1 district and provided further that the parcel created does not exceed five (5) acres.

(M) Antique shops.

(N) A farm market for the sale of fresh farm products produced on the premises or on other agricultural lands farmed by the owner or operator of the premises together with the following accessory uses: (1) the sale of fresh farm products purchased wholesale from others for resale to customers; (2) the sale of simple food items such as doughnuts, caramel apples, popcorn, pretzels, baked items, and sandwiches prepared on site in a state approved kitchen; (3) the sale of non-alcoholic beverages such as coffee, cider, soda, and bottled water; (4) the sale of honey, jellies, and similar products purchased wholesale from others for resale to customers; (5) the sale of seasonal craft items and books purchased wholesale from others for resale to customers; and (6) the operation of a pumpkin patch, wagon rides, corn maze, or other similar activities upon the premises or upon other adjoining agricultural lands farmed by the owner or operator of the premises.

(O) Livestock facilities over one (1) animal unit per contiguous acre or over 500 animal units total, whichever is less.

(4) Requirements for Permitted and Conditional Uses

Within the A-2 District the following standards shall apply:

- (A) Minimum Lot Size ----- 10 acres
- (B) Maximum Lot Size -----Not to exceed 35 acres
- (C) Maximum Building Height -----35 ft. Residential structures
No maximum on other structures.
- (D) Minimum Front Yard Setback----- 50 ft.
- (E) Minimum Rear Yard Setback----- 50 ft.
- (F) Minimum Side Yard;
Principal Buildings ----- 20 ft. on each side
Accessory Buildings ----- 10 ft. on each side
- (G) Minimum Lot Width at Building Line ----- 100 ft.
- (H) All front yard setbacks are also subject to Section 10.1 of this Ordinance for setbacks on Arterial, Collector, and Local Roads.
- (I) Minimum Floor Area per Family ----- 1,000 sq. ft.
- (J) Animals per Acre – One (1) Animal Unit per contiguous acre. Additional Animal Units per acre will require a Conditional Use Permit from the Town Board, after recommendation from the Planning & Zoning Committee.
- (K) General Setbacks Applicable to Livestock Structures

(i) Property lines

Except as provided for waste storage structures, livestock structures must be located a minimum of 100 feet from the property line if the livestock facility will have fewer than 1,000 animal units, and 200 feet from the property line if the livestock facility will have 1,000 or more animal units. The setback requirement does not prevent the use or expansion of a livestock structure that was located within the setback area prior to the effective date of this setback requirement, except that a structure may not be expanded closer to the property line.

(ii) Public Road Right-of-Way

Except as provided for waste storage structures, livestock structures must be located a minimum of 100 feet from a public road right-of-way if the livestock facility will have fewer than 1,000 animal units, and 150 feet from

a public road right-of-way if the livestock facility will have 1,000 or more animal units. This setback requirement does not prevent the use or expansion of a livestock structure that was located within the setback area prior to the effective date of this setback requirement, except that a structure may not be expanded closer to the public road right-of-way.

(iii) Waste Storage Structure

A new waste storage structure may not be located within 350 feet of a property line, or within 350 feet of the nearest point of any public road right-of-way.

A single new waste storage structure may be constructed closer to the property line or public road if a new structure is:

- located on the same tax parcel as a waste storage structure in existence before May 1, 2006;
- no larger than the existing structure;
- no further than 50 feet from the existing structure;
- no closer to the road or property line than the existing structure.

This setback requirement does not apply to existing waste storage structures, except that an existing structure within 350 feet of a property line may not expand toward that property line or road.

(L) Water Quality and Related Setback Requirements

(i) Navigable waters and wetlands

A livestock facility shall comply with setback and related requirements in any applicable shore land or wetland zoning ordinances enacted within the scope of authority granted under §§ 59.692, 61.351 or 62.231 of the Wisconsin Statutes.

(ii) Flood Plain

A livestock facility shall comply with setback and related requirements in any applicable flood plain zoning ordinance that is enacted within the scope of statutory authority under § 87.30 of the Wisconsin Statutes.

(iii) Wells

All wells located within a livestock facility shall comply with Chapters NR811 and 812 of the Wisconsin Administrative Code. New or substantially altered livestock structures shall be separated from existing wells by the distances required in said Chapters NR811 and 812, regardless of whether the livestock facility operator owns the land in which the wells are located. A livestock structure in existence on May

1, 2006, may be altered as long as the alteration does not reduce the distance between the livestock structure and an existing well.

(M) Single-Family Residences

No single-family residence shall be constructed within 1,000 feet of a livestock structure or building, including animal waste storage areas. This provision shall not apply to dwelling units that are accessory to a livestock facility.